

Section 8

PATENT
ATTORNEY DOCKET NO. 04585/049002

Certificate of Mailing: Date of Deposit: September 21, 2001

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Jane DiPalma

Printed name of person mailing correspondence

Mary Jane DiPalma

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Marchionni Art Unit: 1642
Serial No.: 09/864,675 Examiner:
Filed: May 23, 2001 Customer No.: 21559
Title: NRG-2 NUCLEIC ACID MOLECULES, POLYPEPTIDES, AND
DIAGNOSTIC AND THERAPEUTIC METHODS

Assistant Commissioner for Patents
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS

In reply to the Notice to File Missing Parts of Application mailed August 3, 2001 (a copy of which is enclosed), Applicant as a large entity submits herewith the following:

- ☒ A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63.
- ☒ Payment of the surcharge of \$130.00 for late filing of the declaration.
- ☒ 16 sheets of formal drawings and a transmittal to the official draftsman.
- ☒ A Sequence Listing on paper and diskette.
- ☒ A Sequence Statement.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: September 21, 2001

Kristina Bieker-Brady
Kristina Bieker-Brady, Ph.D.
Reg. No. 39,109

Clark & Elbing LLP
176 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045



21559

PATENT, TRADEMARK OFFICE

SCANNED # 2



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20230
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09 864.675	05 23 2001	Mark Marchionni	04585 049002

21559
CLARK & ELBING LLP
176 FEDERAL STREET
BOSTON, MA 02110-2214

CONFIRMATION NO. 3830

FORMALITIES LETTER



OC000000006380409

Date Mailed: 08/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/27/2001 MWOLDBER1 00000115 09804675

FILED UNDER 37 CFR 1.53(b)

1. FE:105

130.00 OF

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

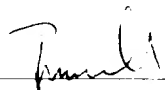
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant

desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Mary Jane DiPalma

Printed name of person mailing correspondence

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Marchionni

Art Unit: 1642

Serial No.: 09/864,675

Examiner:

Filed: May 23, 2001

Customer No.: 21559

Title: NRG-2 NUCLEIC ACID MOLECULES, POLYPEPTIDES, AND
DIAGNOSTIC AND THERAPEUTIC METHODS

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS TO OFFICIAL DRAFTSPERSON

In reply to the Notice to File Missing Parts that was mailed in the above-captioned case on August 3, 2001, enclosed are:

☒ 16 sheets of formal drawings that replace the informal drawings filed with the application.

If there are any other charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date:

September 21, 2001

Kristina Bieker-Brady, Ph.D.

Reg. No. 39,109

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